

MONIQUE C. WINKLER (Cal. Bar No. 213031)  
JASON H. LEE (Cal. Bar No. 253140)  
BERNARD B. SMYTH (Cal. Bar No. 217741)  
smythb@sec.gov  
MARC D. KATZ (Cal. Bar No. 189534)  
katzma@sec.gov  
STEVE VARHOLIK (Cal. Bar No. 221554)  
varholiks@sec.gov

Attorneys for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION  
44 Montgomery Street, Suite 2800  
San Francisco, California 94104  
Telephone: (415) 705-2500  
Facsimile: (415) 705-2501

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Case No. 3:23-cv-00959-SI

Plaintiff,

vs.

FINAL JUDGMENT AS TO INNINGS  
150, LLC

ROBERT D. CHRISTENSEN; ANTHONY M.  
MATIC; FORESEE, INC.; THE COMMISSION PDX,  
LLC; THE POLICY PDX, LLC; INNINGS 150, LLC,

Defendants.

FINAL JUDGMENT AS TO INNINGS 150, LLC

The Securities and Exchange Commission (“Commission”) having filed a Complaint and Defendant Innings 150, LLC (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations in the Complaint; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;  
or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from directly or indirectly, including, but not limited to, through any entity owned or controlled by it, participating in the issuance, purchase, offer, or sale of any security;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

IV.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant will cease operations and sell all real estate property owned by it or its affiliated entities within one (1) year of entry of the Final Judgment;

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall periodically certify, in writing, compliance with the limitation set forth above on the following schedule: (i) 90 days following entry of the Final Judgment; (ii) 180 days following entry of the Final Judgment; (iii) 270 days following entry of the Final Judgment; and (iv) 365 days following entry of the Final Judgment. The certification shall identify the limitation, provide written evidence of compliance in the form of a narrative, and be supported by exhibits sufficient to demonstrate compliance. The Commission staff may make reasonable requests for further evidence of compliance, and Defendant shall provide such evidence. The certification and supporting material shall be submitted to David Zhou, Assistant Regional Director, U.S.

Securities and Exchange Commission, 44 Montgomery Street, Suite 2800, San Francisco, CA 94104.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, prior to each sale of real property, shall provide the Commission with an accounting in a form requested by the Commission as to the sale of each real estate property to be sold;

The accounting and any supporting material shall be submitted to David Zhou, Assistant Regional Director, U.S. Securities and Exchange Commission, 44 Montgomery Street, Suite 2800, San Francisco, CA 94104.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that the Commission shall take such actions as necessary to secure payment of the sums due hereunder;

V.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant will limit the use of any assets that it owns, controls, or possesses solely to pay for: (i) necessary costs associated with selling the real estate property owned by it or its affiliated entities, or (ii) necessary costs associated with maintaining such property until it is all sold;

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall periodically certify, in writing, compliance with the limitation set forth above on the following schedule: (i) 90 days following entry of the Final Judgment; (ii) 180 days following entry of the Final Judgment; (iii) 270 days following entry of the Final Judgment; and (iv) 365 days following entry of the Final Judgment. The certification shall identify the limitation, provide written evidence of compliance in the form of a narrative, and be supported by exhibits sufficient to demonstrate compliance. The Commission staff may make reasonable requests for further evidence of compliance, and Defendants shall provide such evidence. The certification

and supporting material shall be submitted to David Zhou, Assistant Regional Director, U.S. Securities and Exchange Commission, 44 Montgomery Street, Suite 2800, San Francisco, CA 94104.

VI.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant will limit the use of all proceeds received from the sale of any real estate property owned by it or its affiliated entities solely to pay the disgorgement owed by Defendant until all such disgorgement and prejudgment interest thereon has been satisfied;

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall periodically certify, in writing, compliance with the limitation set forth above on the following schedule: (i) 90 days following entry of the Final Judgment; (ii) 180 days following entry of the Final Judgment; (iii) 270 days following entry of the Final Judgment; and (iv) 365 days following entry of the Final Judgment. The certification shall identify the limitation, provide written evidence of compliance in the form of a narrative, and be supported by exhibits sufficient to demonstrate compliance. The Commission staff may make reasonable requests for further evidence of compliance, and Defendants shall provide such evidence. The certification and supporting material shall be submitted to David Zhou, Assistant Regional Director, U.S. Securities and Exchange Commission, 44 Montgomery Street, Suite 2800, San Francisco, CA 94104.

VII.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is, together with Defendants Robert D. Christensen, Anthony M. Matic, Foresee, Inc., The Commission PDX, LLC, and The Policy PDX, LLC, jointly and severally, liable for

FINAL JUDGMENT AS TO INNINGS 150, LLC

disgorgement of \$4,975,935.00, representing net profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$398,547.00.

Defendant shall satisfy this obligation by paying the Securities and Exchange Commission pursuant to the terms of the payment schedule set forth in paragraph VIII below after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Innings 150, LLC as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by using all collection procedures authorized by law, including, but not limited to,

moving for civil contempt at any time after 30 days following entry of this Final Judgment.

Defendant shall pay post judgment interest on any amounts due after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961.

VIII.

Innings 150, LLC shall pay \$5,374,482.00, jointly and severally with Defendants Robert D. Christensen, Anthony M. Matic, Foresee, Inc., The Commission PDX, LLC, and The Policy PDX, LLC, within 365 days of entry of this Final Judgment. Payments shall be deemed made on the date they are received by the Commission and shall be applied first to post judgment interest, which accrues pursuant to 28 U.S.C. § 1961 on any unpaid amounts due after 30 days of the entry of Final Judgment. Prior to making the final payment set forth herein, Innings 150, LLC shall contact the staff of the Commission for the amount due for the final payment.

If Innings 150, LLC fails to make any payment by the date agreed and/or in the amount agreed according to the schedule set forth above, all outstanding payments under this Final Judgment, including post-judgment interest, minus any payments made, shall become due and payable immediately at the discretion of the staff of the Commission without further application to the Court.

IX.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the undertakings and agreements set forth therein.

X.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

FINAL JUDGMENT AS TO INNINGS 150, LLC

XI.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

Dated: July 11, 2023

  
UNITED STATES DISTRICT JUDGE